

UNITED STATES BANKRUPTCY COURT
Northern District of California

In re: Y. ROGER YU,

Debtor(s)

Bankruptcy No.: 23-50023

R.S. No.:

Hearing Date: February 16, 2023

Time: 2:30 pm

Relief From Stay Cover Sheet

Instructions: Complete caption and Section A for all motions. Complete Section B for mobile homes, motor vehicles, and personal property. Complete Section C for real property. Utilize Section C as necessary. If moving party is not a secured creditor, briefly summarize the nature of the motion in Section D.

(A) Date Petition Filed: 01/11/2023 Chapter: 13
Prior hearings on this obligation: N/A Last Day to File §523/§727 Complaints: N/A

(B) Description of personal property collateral (e.g. 1983 Ford Taurus): N/A

Secured Creditor ☐ or lessor ☐

Fair market value: \$

Source of value:

Contract Balance: \$

Pre-Petition Default: \$

Monthly Payment: \$

No. of months:

Insurance Advance: \$

Post-Petition Default: \$

No. of months:

(C) Description of real property collateral (e.g. Single family residence, Oakland, CA): 1047 Cherry Street, San Carlos, CA 94070 ("Cherry Street Property")

Fair market value: \$850,000.00*

Source of value:

If appraisal, date:

*Debtor, through prior counsel informed Movant that the Property has been deemed uninhabitable by the City and the cost to bring it into compliance would exceed any equity in the Property.

Moving Party's position (first trust deed, second, abstract, etc.): 2nd Deed of Trust

Approx. Bal. \$ 350,769.50

Pre-Petition Default: \$ Matured

As of (date): Matured

No. of months: Matured

Mo. payment: \$ Matured

Post-Petition Default: \$ Matured

Notice of Default (date): 06/09/2022

No. of months: Matured

Notice of Trustee's Sale: 09/13/2022

Advances Senior Liens: \$ N/A

Specify name and status of other liens and encumbrances, if known (e.g. trust deeds, tax liens, etc.):

Position	Mortgage Electronic Registration Systems, Inc., solely as nominee	Amount	Mo. Payment	Defaults
1 st Trust Deed:	for HSBC Bank USA, N.A.	\$ <u>650,000.00</u>	\$ <u>Not Available</u>	\$ <u>Not Available</u>
2 nd Trust Deed:	Movant	\$ <u>350,769.50</u>	\$ <u>Matured</u>	\$ <u>350,769.50</u>
	:			
	:			
	:			
	(Total)	\$ <u>1,000,769.50</u>		

(D) Other pertinent information: Movant's loan matured on December 1, 2022 and is all due and payable. Debtor and his co-conspirators have engaged in a scheme to hinder, delay, and defraud Movant and to unlawfully stall Movant's valid foreclosure. The Debtor and his co-conspirators have filed three bankruptcies purportedly affecting the Property in the last five (5) months. Further, these parties have filed two (2) state court cases seeking to stall foreclosure. In addition, the Debtor and his co-conspirators have filed six (6) bankruptcies and seven (7) state court actions affecting the same scheme on three other properties Movant has an interest in. Those actions and properties are the subject of other motions before this Court.

Dated: 02/01/2023

/s/ Reilly D. Wilkinson

Signature

Reilly D. Wilkinson

Print or Type Name

Attorney for Movant